2003 Issue II

CENTRAL REGION ENVIRONMENTAL NEWSLETTER

CENTRAL REGIONAL ENVIRONMENTAL OFFICE

US ARMY ENVIRONMENTAL CENTER

Fort Leonard Wood Opens Fuel Pumps for Two New Alternative Fuels to be Used in Non-Tactical Vehicles

By James Ramirez, SPEC 4
GUIDON Staff, Fort Leonard Wood

A ribbon-cutting ceremony at the Transportation Motor Pool officially recognized Fort Leonard Wood as the first Army installation to offer two alternative fuels for non-tactical vehicles. An audience of approximately 30 people gathered at the Transportation Motor Pool to witness this event that puts Fort Leonard Wood at the cutting edge of Army installations in meeting the requirements of the Clean Air Act of 1990. The Clean Air Act directs all federal agency vehicles to reduce annual petroleum consumption at least 20 percent by 2005.

"This is a great day for the Army and Fort Leonard Wood," said Col. Joel Himsl, garrison commander. "I'm proud to say that we're the first post to fuel our vehicles with Ethanol 85 and Biodiesel 20."

Biodiesel 20, or B20, is a mix of 20 percent soybean fuel and 80 percent petroleum, while E85 (Ethanol 85) is a blend of 85 percent ethanol and 15 percent petroleum. The two tanks used to contain the fuels are 10,000 gallon, double-wall, fire-guarded, self-contained automated tanks equipped with a monitoring system purchased with Army Headquarters funds and installed by Fort Leonard personnel.

Not only will the fuels help to cut down on emissions into the air, which contribute to respiratory problems and global warming, they will also help reduce America's dependence on foreign oil and give a vital boost to domestic farmers. "This will open up a larger market for our farmers," said Mike Mills, spokesperson for US Sen. Christopher Bond.

As America's sixth largest soybean producer and the eighth largest corn producer in the nation, the economic benefit to the State of Missouri is clear.

Moreover, Mr. Mills believes those standings will improve as demand for alternative fuels grows.

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Ribbon cutting ceremony at Fort Leonard Wood's new Motor Transportation Pool alternate fuel pumps. Pictured from left to right are Sgt. Maj. Mark Farley, Mr. Michael Mills, Mr. David Fuchs, Ms. Joan Houser, Maj. Gen. Robert Van Antwerp, Ms. Patricia Ray and Col. Joel Himsl. All Photos Courtesy of Fort Leonard Wood.

In This Issue

Chief Commentary

Bart Ives - *CREO Chief/DoD Region 7 REC*
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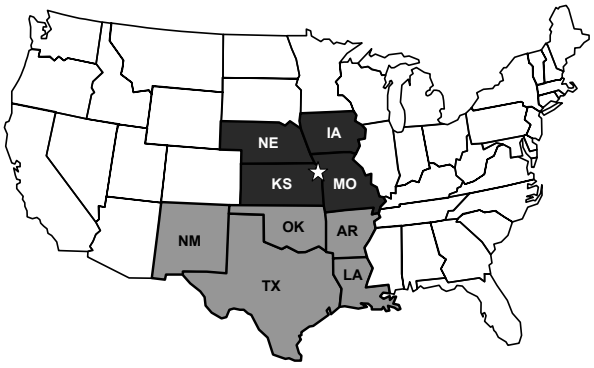
In my capacity as a DOD Regional Environmental Coordinator, I recently attended a Compatible Land Use Partnering Scoping Workshop in Shepherdstown, WV. This workshop was a continuation of the February 2003 initiative established by the Office of the Secretary of Defense (OSD) and the National Defense University as they convened the Defense Environmental Forum at the Pentagon. The purpose was to promote dialogue among the Defense Department and a variety of other partners. More than forty people from the US military, other federal agencies, non-governmental organizations, academia, industry, Congressional offices, state and local government attended this forum on how to balance the national security mission with environmental stewardship.

The purpose of the Land Use Partnering Scoping Workshop I attended was to further this dialogue and take the first steps towards discussing implementation of the recently enacted Sections 2811 and 2812 of the Defense Appropriations Act (aka "buffer zone legislation"). This workshop brought together representatives from the Military Services, OSD, leading non-governmental organizations and federal agencies involved in buffer land conservation, as well as other interested partners for exploratory dialogues on compatible land use partnering.

What this all highlighted to me was the continuing need for Installation and Garrison Commanders to engage their surrounding communities and local and regional planning agencies. This is particularly true in light of all the current concerns regarding the sustainability of our installations and efforts to ward off those issues that result in what we in DoD would refer to as "encroachment." There is in fact (at least for the Army folks) some existing guidance related to this that I thought it might be helpful to remind people of. That the guidance can be found in paragraph 2.8 of AR210-20, Master Planning for Army Installations, 30 Jul 93 (http://books.usapa.belvoir.army.mil/cgi-bin/bookmgr/BOOKS/R210_20/2.8). This guidance also encourages the participation by installations in the Joint Land Use Studies program that is discussed on page 4 of this issue of CREO's Environmental Newsletter.



CREO Nine-State Area of Responsibility

DoD REC Region 7
Army REC Region 6
Army REC Region 7

CREO Participation Calendar
DoD REC Region 7
Army RECs Regions 6 & 7

6/10-11	SW Strategy REC Meeting, Phoenix, AZ
6/16-17	NMED/DoD Meeting, Santa Fe, NM
6/23-27	IMA Northwest Region Environmental Workshop, Quad Cities, IA
7/15-17	CERCLA/RCRA Process, Minneapolis, MN
7/16-17	Fort Riley IAP Workshop, Overland Park, KS
7/21-24	SWS Tribal Relations Training, Albuquerque, NM
7/21-25	NCSL Annual Conference, San Francisco, CA
7/31-8/1	Missouri's Environmental Conference, Osage Beach, MO
8/5-7	Regions 5 & 7 EMS Workshop, Kansas City, KS
8/7	Army Breakout Session at Regions 5 & 7 EMS Workshop, Kansas City, KS
8/11-14	P2 & Haz Waste Management Conference, San Antonio, TX
8/26-27	KDHE's Annual Environmental Conference, Wichita, KS
9/9-10	Southwest Strategy REC Meeting, Albuquerque, NM
10/16	Missouri Legislation Action Seminar, Lake Ozark, MO
10/28-30	DoD REC Forum, Santa FE, NM
11/19	ECOS Meeting, Phoenix, AZ
12/9-10	Southwest Strategy REC Meeting, Phoenix, AZ

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Lone Star Army Ammunition Plant Environmental Coordinator Gives Presentation at Local School

By David Self
Environmental Coordinator, LSAAP

On 14 March 2003, Mr. David Self, Lone Star AAP Environmental Coordinator, traveled to James Bowie Middle School to give an environmental program demonstration as a community service. Mr. Self demonstrated the use of personal protective equipment commonly worn by personnel engaged in environmental work. In addition, the students were shown examples of sampling equipment used in monitoring pollution. Mr. Self also stressed the need for a good education as a critical feature in obtaining employment in the environmental field.

Portions of the films "A Command Responsibility" and "Reef EX" were shown to the students to demonstrate the efforts undertaken by the US Army in order to protect the environment. The first film, "A Command Responsibility," emphasized that top-level Army management has placed a high priority on protecting all aspects of our environment and that pollution prevention is a key method in achieving that end. "Reef EX" showed how Army tanks are being used to establish oceanic artificial reefs that provide a habitat for small organisms that in turn provide a food source for larger fish including game fish.

Finally, a film was shown depicting how a new, modern landfill is constructed. Samples of landfill liner material were displayed and discussed.

Army "Earth Day Posters" and patriotic stickers provided by the local Army Recruiter were given to the students. This event was truly enjoyed by all the participants.

Lone Star Army Ammunition Plant Environmental Coordinator demonstrating protective clothing to students at James Bowie Middle School. Photo Courtesy of Lone Star AAP.

USEPA Withdraws July 2000 Amendments to Total Maximum Daily Load (TMDL) Program

In an action strongly supported by agriculture, forestry, states, industry, and the US Congress, USEPA Administrator Christie Whitman withdrew the final rule titled "Revisions to the Water Quality and Management Planning Regulations and Revisions to the National Pollution Discharge Elimination System Program in Support of Revisions to the Water Quality Planning and Management Regulation (the July 2000 rule)" published in the Federal Register 13 July 2000. The July 2000 rule was determined to be unworkable based on reasons described by more than 34,000 comments and was challenged in court by some two dozen entities. The National Academy of Sciences' National Research Council found numerous drawbacks with the July 2000 rule. USEPA regulations promulgated in 1985 and amended in 1992 remain in effect for the TMDL program.

The Clean Water Act requires states to identify waters not meeting water quality standards and to develop plans for cleaning them up. The TMDL program was to provide a process for determining pollution budgets for the nation's waters that, once implemented, would assure that Clean Water Act goals will be met. The purpose of the July 2000 rule was to resolve issues concerning the identification of impaired water bodies by promoting more comprehensive inventories of impaired waters. The rule was also intended to improve implementation of TMDLs by requiring USEPA to approve, as part of the TMDL program, implementation plans containing lists of actions and expeditious schedules to reduce pollutant loadings. The rule also included changes to the NPDES program to assist in implementing TMDLs and to better address point source discharges to water not meeting water quality standards prior to establishment of a TMDL. The decision to rescind the July 2000 rule does not affect USEPA's intent to proceed with the Watershed Based NPDES Permitting Policy, which was transmitted to USEPA Regional Water Directors on 7 January 2003.

More than 90 percent of the comments supported USEPA's proposed action to withdraw the July 2000 rule. These comments came from a broad cross section of stakeholders, including agricultural and forestry groups, business and industry entities and trade associations, state agencies, professional associations, academic groups and private citizens.

For additional details, please refer to Federal Register Volume 68, Number 53, Wednesday, March 19, 2003.

Joint Land Use Study Promotes Compatibility Between Fort Riley and Local Communities

By David Jones
DES NEPA Coordinator

Fort Riley and local communities are joining together to implement a Joint Land Use Study (JLUS) to preserve long-term land use compatibility within Fort Riley's proximity. A JLUS is a proactive approach to ensuring community growth and development in conjunction with future military training. A JLUS is a collaborative effort among a military base, the Department of Defense (DoD) and the surrounding communities to establish a plan for implementing land use recommendations.

A typical JLUS identifies actions that could and should be taken by the communities and the installation to solve existing problems and prevent future ones. The dual goals are to protect the installation mission, and public health, safety and welfare. The intent of the planning is to minimize future conflicts with Fort Riley activities and reduce unregulated development of the communities.

This study was initiated as a result of Fort Riley's transformation to a robust War Fighting Center. Operations tempo at Fort Riley is expected to increase as a result of greater use by Army Reserve and National Guard units. An increase of artillery fire and off-post aircraft flights by the National Guard and Reserve units also is expected. Future mission flexibility is crucial to Fort Riley's ability to support future training requirements.

In summer 2002, Commanding General, Major General Thomas F. Metz nominated Fort Riley to the DoD for the study. As a first step in the JLUS process, public outreach efforts began in December 2002 to increase awareness of the study and its benefits to both Fort Riley and surrounding communities.

Subsequently, Fort Riley officers and local community leaders met in December and January with the DoD Project Leader John Leigh to inform community leaders regarding the study and the importance of their participation. Fort Riley's Garrison Commander, Colonel John A. Simpson, Jr. facilitated the meetings.

The study is expected to produce tangible benefits for both Fort Riley and the communities. A typical JLUS develops community zoning and development regulations to prevent incompatible land uses near the base. In addition, the study may recommend building codes for sound reduction.

Nine jurisdictions have been contacted about the study. These are Junction City, Milford, Manhattan, Wakefield, Ogden, Riley, and Riley, Geary and Clay Counties, and also the Manhattan Airport. Junction City and Milford have taken the lead to facilitate the study.

Fort Riley's Joint Land Use Study Mirrors DoD's Program

From Staff Notes
"Joint Land Use Study Program", Office of Economic Adjustment, Office of the Secretary of Defense, Department of Defense

Fort Riley's Joint Land Use Study (JLUS) is one of a number of studies that are currently planned or underway across the United States. The implementation of the JLUS is a direct reflection of the process managed by DoD's Office of Economic Adjustment (OEA) to support measures that prevent urban encroachment. JLUS implementation measures may involve revisions to the community's comprehensive plan and traditional development controls such as zoning.

The steps typical in the JLUS process are:

- Project Initiation: If there is an encroachment problem or a likelihood of an encroachment problem, the installation is nominated to the OEA for a JLUS. OEA staff visits the installation and meets with the local base command and government officials. OEA then makes a determination if a JLUS is justified.
- OEA Community Planning Assistance Grant: OEA makes grant monies available to the sponsoring jurisdiction. Typically, these monies are on a dollar for dollar matching basis and are usually between $60,000 and $120,000, up to 75% of the cost of a JLUS.
- Study Sponsor: The local governing body with land development regulatory authority whether it is a state agency, airport authority, community planning office, etc., is identified and to serve as the study sponsor. The sponsor will work with OEA and the military installation to:
  - Develop the scope of work;
  - Outline the study contents, goals and objectives, study phases, methods of public involvement, and implementation plan; and
  - Develop an estimate of costs including in-kind resources provided by the sponsor.

OEA is available to provide technical assistance during the preparation of the Scope of Services and grant application. A key feature in the success of a JLUS is building consensus between the military installation and the participating jurisdiction, which must agree to make a good faith pledge to implement development controls to achieve compatibility.

The JLUS program Point of Contact is Mike Davis, OEA, OSD at mike.davis@osd.mil or 703-604-4726.

Demolition of Building 3 at the St. Louis Army Ammunition Plant

By Heather Black
Environmental Scientist, Titan Corp

The St. Louis Army Ammunition Plant (SLAAP), located off Goodfellow Boulevard near Interstate 70 in St. Louis, MO, has been identified as excess property by the US Army. From 1997 until January 2003, SLAAP has been the responsibility of the U.S. Army Aviation and Missile Command (AMCOM), headquartered at Redstone Arsenal in Huntsville, AL. AMCOM has conducted environmental investigations and remediation at SLAAP in order to facilitate transfer of the 18-acre property from Federal ownership to the local community for redevelopment.

During this time AMCOM has worked to ameliorate a 1991 Notice of Noncompliance (NON) issued by the US Environmental Protection Agency to the Army because of polychlorinated biphenyl (PCB) contamination in Building 3 at SLAAP. Past activities in the building resulted in the release of PCB-containing cutting oils into the concrete flooring and beneath the foundation of the building. Over the years, extensive resources have been used in remediation efforts to resolve the NON; however, none of the efforts have resulted in a resolution of the NON and/or the elimination of the PCB contamination in building 3. The inability to resolve the NON/PCB contamination was an obstacle to the property transfer process.

Demolition and materials processing at the west end of Building 3, St. Louis Army Ammunition Plant. All Photos Courtesy of AMCOM and USACE.

After due consideration of the situation and the criteria under the 1998 PCB Amendments, AMCOM elected to remove selected concrete slabs within the building containing over 50 parts per million PCBs. During this initial removal, additional contamination was discovered under the building foundation. The discovery of additional contamination meant that the entire building would have to be demolished. The demolition of the entire structure could not be accomplished with the available funds; however, through the efforts of Congressman Clay of Missouri, an additional $5 million in funding was made available through the DoD appropriations process for the demolition of building 3.

With the additional funding, AMCOM in cooperation with the Corps of Engineers, Kansas City District awarded a contract to Arrowhead Construction, Inc. for building demolition, PCB waste disposal and site restoration. By late December, all of the PCB wastes as defined by the Toxic Substances Control Act "Mega-Rule" at the Building 3 site had been removed. The project resulted in the disposal of approximately 12,815 tons of PCB remediation waste, and the rescinding of the NON by USEPA.

Excavation of contaminated soils outside of the chip chute area. Photo insert: Fill soil placement over the excavated area, Building 3, St. Louis Army Ammunition Plant.

Matters of Interest to All DoD Components

Legally Brief

Changes to the Spill Prevention, Control, and Countermeasures (SPCC) Plan Regulations

By Stanley Rasmussen
CREO Regional Counsel

(**Author's note**: This paper is intended to provide a summary of the major requirements under the new SPCC regulations. However, it does not substitute for careful reading of the regulations to determine the specific requirements for your installation requirements.)

On 17 July 2002, the United States Environmental Protection Agency (USEPA) promulgated final regulations amending the nearly 30-year-old program pertaining to Spill Prevention, Control, and Countermeasure (SPCC) Plans. These plans are applicable to virtually all industrial installations and most military installations throughout the US. While the amendments sought to clarify, streamline, and condense some of the original requirements, several new requirements were added thereby giving rise to a number of new implementation questions.

Summary of New Requirements/Changes to the SPCC Program

The SPCC Plan regulations apply to owners or operators of a facility that stores, processes, transfers, distributes, uses, or consumes oil and oil products and, that due to the facility's location, could reasonably be expected to discharge oil, in quantities that may be harmful, into or upon navigable waters of the United States or adjoining shorelines, etc. (See 40 CFR 112.1[b]). The following is a summary of changes that should be examined carefully to ensure that all SPCC compliance issues are met.

Types of Oil Subject to Regulation

Although the USEPA states in the preamble to the regulatory amendments that it did not change the definition of oil, it did acknowledge that the definition was "reworded" to include categories of oil included in the Edible Oil Regulatory Reform Act of 1995 (33 U.S.C. 2720). Accordingly, the program covers all types and forms (solid or liquid) of oil, including animal oils and fats, vegetable oils, petroleum oils, synthetic oils, mineral oils, oil refuse, oil mixed with wastes other than dredge spoil, etc. (See 40 CFR 112.2 for the full definition).

Threshold Quantities

According to 40 CFR 112.1(d)(2)(i) and (ii), the regulations apply to facilities where the volume of oil stored at the facility exceeds the following threshold quantities:

- Combined underground storage greater than 42,000 gallons. (Note, underground storage tanks subject to all of the technical regulations of 40 CFR 280 or 281 are not included in the calculation of total underground storage capacity.)
- Combined aboveground storage greater than 1,320 gallons. It should be noted that only containers 55 gallons and larger are counted in the calculation of total aboveground storage capacity, and the single 660 gallon container size rule no longer applies for determining applicability.

Trigger Dates for Facilities with Previously Prepared Plans

The amendments originally required that facilities in operation on or before 16 August 2002 to amend their Plans to incorporate changes mandated by the new requirements not later than 17 February 2003 and then implement the changes by 18 August 2003. However, on 17 April 2003, the USEPA promulgated a Final Rule extending the deadline for making Plan amendments to 17 August 2004 and extending the implementation deadline to 18 February 2005 (See 17 April 2003 Federal Register pages 18890-18894).

Trigger Dates for New facilities

Under the old regulations, facilities were required to prepare a Plan within six months of commencing operation and were required to implement their Plan within one year of commencing operation. The new regulations (See 17 April 2003 Federal Register pages 18890-18894) require the following:

- Facilities that commenced operation between 16 August 2002 and 18 February 2005 are required to prepare their Plan before 18 February 2005 and fully implement it as soon as possible, but not later than 18 February 2005 (See 40 CFR 112.3[a]).
- Any facility, which becomes operational after 18 February 2005, must prepare and implement their Plan before operation commences (See 40 CFR 112.3[b]).

Plan Certification Requirements

As with the old rules, a licensed Professional Engineer must review and certify the Plan for it to be effective (See 40 CFR 112.3[d]). However, now the engineer or his/her agent must actually visit the site and examine the facility as part of the preparation and certification process. In addition, the certifying engineer

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*(**SPCC Changes**, continued from page 6)*
must attest that he/she is familiar with regulatory requirements, that the Plan was prepared using good engineering practice, that it includes incorporation of applicable industry standards, and that it has been prepared in accordance with the regulatory requirements. The engineer must also certify that procedures for inspection and testing have been established, and that the Plan is adequate for the facility.

It should be emphasized that the certification is a legal statement; therefore, the facility should ensure that the installation Environmental Legal Specialist (ELS) is involved in the certification process. At a minimum, certification contents and format should mirror the regulations.

Where to Keep the Plan

Generally, the Plan must be kept on site and must be available for the USEPA to review during normal working hours. The old regulations which required the Plan to be available if the facility was manned for 8 hours per day are now more restrictive. For those installations with remote unmanned facilities storing oil above threshold quantities, a copy must be kept at the facility if it is normally attended 4 hours per day, or if the facility is attended less than 4 hours per day, then the Plan must be kept at the nearest field office (See 40 CFR 112.3 [e]).

Plan Amendment Requirements

The USEPA expanded the review period from 3 years to a minimum of every 5 years, which eases the regulatory burden on those facilities that do not substantially change their oil storage operations over time. During the 5-year review, amendments to the Plan must be incorporated as appropriate (See 40 CFR 112.5[b]).

Other circumstances that require an owner/operator to amend the Plan include instances where there is a change in facility design, construction, operation, or maintenance that materially affects the potential for a discharge (See 40 CFR 112.5 [a]). Moreover, a spill event of more than 1,000 gallons or two or more spill events of more than 42 gallons in any 12-month period may also require amendments to the Plan (See 40 CFR 112.4). Amendments required by the USEPA must be made within 30 days of being notified by the USEPA that a change is required and must be implemented not more than 6 months after notification (40 CFR 112.4[e]). Amendments not required by USEPA must be made and implemented as soon as possible, but not later than 6 months (40 CFR 112.5 [b]).

In all cases, a professional engineer must certify any technical amendments, but USEPA was careful to point out that engineer certification is no longer required for administrative amendments (See 40 CFR 112.5[c]).

General Requirements (40 CFR 112.7)

The heart of the SPCC Regulations is contained in the General Requirements section of 40 CFR 112.7. While there are specific requirements based on the classification of a facility, the General Requirements section provides the primary foundation of SPCC Plans. The General Requirements section of the rule addresses the following topics; however, only those topics (in bold print) where substantial changes have been made will be discussed herein:

- The basics—40 CFR 112.7
- Plan elements—40 CFR 112.7(a)
- Being prepared for past experiences—40 CFR 112.7(b)
- Secondary containment requirements—40 CFR 112.7(c)
- **Deviations**—40 CFR 112.7(d)
- **Inspection and testing records**—40 CFR 112.7(e)
- **Personnel and training**—40 CFR 112.7(f)
- Security—40 CFR 112.7(g)
- **Facility tank car and tank truck loading/unloading racks**—40 CFR 112.7(h)

Deviations

This provision is an important change that provides legal and regulatory relief because it essentially allows facilities to not install secondary containment if such an installation is impracticable and if the facility institutes extra precautions to protect the environment from a possible spill. 40 CFR 112.7(d) provides that when it is not practicable to install secondary containment, the following measures must be taken:

- Provide an explanation in the Plan as to why secondary containment is impracticable.
- Provide a strong spill contingency plan in accordance with the provisions of 40 CFR 109.
- Provide a written commitment as to manpower, equipment and materials to control a spill.
- Perform periodic integrity testing of the tanks/containers. (Note: this is a new requirement.)

The requirements of the SPCC regulations technically may be fulfilled upon clear demonstration that all of the above requirements are met; but, in the preamble to the amendments (See Federal Register page 47104) , the USEPA cautions that "the absence of secondary containment will place extreme importance on the early detection of an oil discharge and rapid response by the facility to prevent that discharge."

Inspection and Testing Records

In an effort to ease the regulatory burden, the revised rule in 40 CFR 112.7(e) allows use of usual and customary business records to document tests and inspections, instead of keeping duplicate records. It also allows the records to be kept as an appendix to the Plan or in a separate log, etc., with the Plan rather than requiring that those records be a part of the Plan. All records must continue to be kept for a period of at least 3 years.

Personnel and Training

Under 40 CFR 112.7(f), the new rule no longer requires training of all employees at an installation, but requires training for oil-handling employees only. The new rule also mandates that training must be conducted at least annually rather than at "intervals frequent enough to assure adequate understanding of the SPCC Plan for that facility" as mandated under the old rule. Generally, training must be sufficient

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(*SPCC Changes, continued from page 7)*
to ensure that the oil-handling employees understand and implement proper operation and maintenance procedures to prevent the discharge of oil, must educate employees as to the applicable oil pollution control laws and regulations, must instill an understanding of general facility operations, and must ensure that the employees are familiar with and understand the contents of the Plan.

Facility Tank Car and Tank Truck Loading/Unloading Racks

There is some ambiguity in 40 CFR 112.7(h) that has the potential to cause confusion as it is potentially subject to differing interpretations. The old rule language was more clear in that the requirements applied only at loading and unloading **racks** (emphasis added), but the new rule language is not as clear. Although the heading of 40 CFR 112.7 (h) demonstrates that it applies to loading and unloading racks, none of the rule language includes any discussion of "racks." In addition, the preamble language in the 17 July 2002 Federal Register (page 47110) states that 40 CFR 112.7(h) is applicable to regulated facilities "where oil is loaded or unloaded from or to a tank car or tank truck. It applies to containers which are aboveground...and to all facilities, large or small."

The DoD has provided its interpretation of this part of the rule to the USEPA and requested clarification from the USEPA concerning the 40 CFR 112.7(h) requirements. However, as of the date of this writing, the USEPA provided only unofficial confirmation of DoD's interpretation that these provisions apply only at loading or unloading racks

Despite the uncertainty regarding the applicability of this section, the following technical requirements of 40 CFR 112.7(h) are relatively clear:

- Where the loading or unloading does not occur in an area where the drainage flows into a catchment basin or other appropriate treatment system, secondary containment sufficient to hold the maximum capacity of any single compartment of the tank car or tank truck must be provided.
- Warning lights, signs, wheel chocks, etc., must be provided to prevent early departure of vehicles during loading or unloading operations.
- Tank car or truck inspection is required prior to departure to ensure that all drains and outlets on the vehicle are properly closed.

In addition to the requirements of 40 CFR 112.7 discussed above, this section also mandates that tanks potentially subject to brittle fracture be evaluated for fracture risk (See 40 CFR 112.7[i]), and mandates that the Plan discuss its conformance with state regulations and guidelines that may be more stringent than the SPCC regulations (See 40 CFR 112.7[j]).

Requirements for Animal Fats, Vegetable Oils and Other Edible Oils

In order to comply with a mandate of the Edible Oil Regulatory Reform Act, the USEPA separated the onshore requirements for petroleum oils and non-petroleum oils from the same requirements for animal fats and vegetable oils.

Since the requirements for these types of oils are word-for-word identical (See 40 CFR 112.12), the requirements of 40 CFR 112.12 are not specifically addressed in this document and are assumed to be identical to the 40 CFR 112.8 requirements discussed below. The topic that represents a potential issue pertains to storage of petroleum oils and non-petroleum oils (and by default animal fats and vegetable oils) are bulk storage containers at onshore facilities.

Onshore Facility—Bulk Storage Container Requirements

The requirements for bulk storage containers are set forth in 40 CFR 112.8(c). It is important to note that the USEPA made it clear that "bulk storage container" requirements only pertain to containers used to store oil, but not to electrical, operating, or manufacturing equipment. Accordingly, things such as electrical transformers and hydraulic equipment are not subject to the bulk storage requirements, but do continue to be subject to the general requirements of 40 CFR 112.7 described above.

The following is a summary of the primary requirements for bulk storage containers as set forth in 40 CFR 112.8 (c). The requirement for periodic testing is notable in that substantial planning may be required for implementation.

- Containers must be compatible with material stored (See 112.8[c][1]).
- Container installations must be sufficiently sized to provide secondary containment for the entire capacity of the largest single container plus freeboard to contain precipitation (See 112.8[c][2]). (Although the USEPA considered mandating that the secondary containment must be sufficiently impermeable to contain the oil for 72 hours, it decided not to mandate a specific hour requirement in an attempt to provide more flexibility in achieving the goals of the secondary containment requirement.)
- Uncontaminated storm-water from containment areas cannot be discharged unless it has been inspected prior to discharge. In addition, all valves for drainage must be kept closed until opened under proper supervision and then resealed (See 112.8[c][3]).
- Cathodic protection or special coatings are required for buried or partially buried tanks (See 112.8[c][4 and 5]).
- Periodic integrity testing is required (See 112.8[c][6]). It should be noted that the USEPA decided that industry standards should be used to determine the testing frequency, rather than mandating a 10-year interval. In addition, visual testing alone is insufficient and must be combined with hydrostatic testing, radiographic testing, ultrasonic testing, acoustic testing, etc. Therefore, tanks may have to be emptied before testing. This is a substantial effort if the tank being tested is 1,000 or more gallons that may require advance planning to prevent unnecessary down time or other delays.
- Level alarms must be in compliance with industry standards (See 112.8[c][8]).
- Visible discharges must be promptly corrected (See 112.8[c][10]).
- Mobile or portable oil storage containers must be positioned or located to

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(*SPCC Changes, continued from page 8)*

prevent a discharge and secondary containment with sufficient freeboard must also be provided (See 112.8[c][11]).

Department of Defense Interpretation and Clarification Request

On 5 December 2002, the DoD's Clean Water Act Services Steering Committee provided its interpretation to USEPA on four requirements under the new SPCC regulations, and sought clarification on these issues. However, as of the date of this writing, USEPA has only provided a draft response to the clarification request. Following is a summary of the DoD interpretation:

- The DoD encouraged the USEPA to provide clarification of whether the new requirements of 40 CFR 112.7(h) pertain only to loading and unloading operations at "racks" or whether they apply to all loading and unloading operations at an installation that are otherwise subject to the SPCC regulations. USEPA's draft response confirms DoD's interpretation that 40 CFR112.7(h) applies only at "racks."
- The DoD stated that it understands the new regulations to not require secondary containment for home heating oil tanks or tank trucks that load them. Although there are typically not secondary containment requirements for home heating tanks at civilian homes, the sheer volume of oil in multiple home heating tanks on an installation could possibly be interpreted to push DoD installations into different requirements than those applied to an individual home owner. USEPA's draft response is that each home can be considered a separate facility for purposes of determining SPCC applicability.
- Although oil-filled operating equipment, such as electrical transformers, are not subject to the secondary containment requirement for bulk storage containers (See section 4.3 above), secondary containment may be required under the general provision of 40 CFR 112.7(c). Accordingly, the DoD encouraged the USEPA to provide clarification that for such equipment, secondary containment would only be required if it could be reasonably expected that equipment could discharge oil in harmful quantities into navigable waters. USEPA's draft response confirms DoD's interpretation.

The Clean Water Act Services Steering Committee is preparing an SPCC guidance document for use at DoD installations. This guidance document should be available later this year.

Conclusion

Because there were numerous changes made to the SPCC program, it would be prudent for each installation to initiate a review of its SPCC Plan during 2003, well before the 17 August 2004 deadline. This should allow an installation to address in a timely manner any questions it may have concerning SPCC requirements specific to the installation. As always, you are encouraged to involve your installation ELS with any regulatory interpretation questions. In addition, the CREO Regional Counsel, Mr. Stanley L. Rasmussen, is available to assist you with interpreting and evaluating the SPCC requirements. Please feel free to contact him at (816) 983-3448 or at Stanley.L.Rasmussen@usace.army.mil.

(***Fuel Pumps Changes**, continued from page 1)*

Currently, two Missouri farms that grow corn are contributing to production of the ethanol used in the formulation of the E85 used at Fort Leonard Wood. However, the soybeans used in the production of B20 are grown in Illinois and Iowa. But, according Lowell Mohler, Missouri Director of Agriculture, plans are in the works to have Missouri soybean farmers contribute to biodiesel production.

"The market is growing but the demand isn't there yet to put a biodiesel plant here in Missouri," said Mohler. He is optimistic that in two to three years Missouri will have a biodiesel plant.

Ft. Leonard Wood's new Motor Transportation Pool alternate fuel pumps.

Col. Himsl said the project, estimated at $100,000 thus far, is not finished yet. The vehicles being fueled by the new pumps are commercial vehicles but his goal is to make the alternative fuel available to tactical vehicles as well. In fact, plans call for a test of alternative fuels in tactical vehicles.

Army Environmental Center's "A Guide for Compliance with the Military Munitions Rule" Now on DENIX

The Federal Facility Compliance Act (FFCA), passed by Congress in October 1992, required the United States Environmental Protection Agency (USEPA) to develop an amendment to the Resource Conservation and Recovery Act (RCRA) establishing regulations to identify when conventional and chemical military munitions become hazardous waste subject to RCRA, and providing for the safe handling, management, storage, and disposal of waste military munitions (WWM). USEPA was directed to work in consultation with Department of Defense (DoD) to develop this amendment, commonly known as the Military Munitions Rule (MR).

On 1 July 1998 DoD issued its "Regulation to Implement the USEPA's Military Munitions Rule" or MRIP. The Regulation's purpose is to provide direction and establish an overarching policy for the management of WMM among DoD components. To this end, the policy incorporates requirements of the MR into well-established DoD business practices to keep intact its proven and uniform munitions management systems. The policy has recently been revised and will be issued as a regulation.

The purpose of this guide is to help Army ammunition handlers to understand better the requirements of the MR with the objective of improving MR compliance throughout the Army. The guide communicates regulatory requirements in laymen's terms and describes management practices that have endured the test of practical application. It also helps the ammunition handler recognize when new or ancillary requirements and/or business practices impact MR compliance. This guidance is not intended to replace the MR or the DoD MRIP as the authoritative references, but to compliment them.

This guide includes two volumes:

- Volume I: Compliance Guide—provides fundamental compliance principles, a synopsis of governing requirements, implementation tips, and recommendations.
- Volume II: Assessment Protocol—A comprehensive protocol that can be used by Army personnel to conduct internal compliance assessments. The protocol is a complete listing of regulatory requirements and references and an assessor's checklists. To encourage their use, checklists have been prepared for each functional area involved in munitions management.

The guidance can be found at the following address: www.denix.osd.mil/denix/DOD/Library/AEC/mmrguide1102.pdf. For those viewing this guide in .doc or .pdf format, direct links to specific references and information sources are provided throughout the document. Simply ensure that your web browser is active in the background and double click on the highlighted web address.

USEPA Releases Best Practices Guide for Managing Non-hazardous Industrial Waste

USEPA recently announced the release of a comprehensive voluntary industrial waste management guide that identifies best management practices for the full range of non-hazardous industrial wastes – covering more than 60,000 facilities in the United States that produce and manage an estimated 7.6 billion tons of this industrial waste.

USEPA joined with members of state governments, tribes, industry, and environmental groups to develop this guidance on how best to manage these wastes. The guide can provide valuable assistance to anyone interested and involved in industrial waste management, from states to industry to citizens. It can stand alone or be used to complement existing regulatory programs. The interactive CD-ROM offers:

- Interactive tutorials and fact sheets from the Agency of Toxic Substances and Disease Registry to help readers better understand why specific chemicals may be of concern;
- An internet-based mapping application to help identify the existence of potentially adverse site conditions, such as the presence of wetlands, flood plains and seismic instability, as well as demographic information. This innovative application will be of significant utility not only for industrial waste management sites, but also for siting of other types of facilities;
- The Industrial Waste Management Evaluation Model, designed to provide guidance on appropriate landfill, waste pile, surface impoundment and land application system design;
- The Industrial Waste Air Model, designed to help determine adverse risks from air emissions from industrial waste units; and
- A comprehensive collection of references and resources targeted to help the user improve upon his/her understanding of pollution prevention opportunities, and technologies and tools available to address industrial waste management issues.

The Guide is available on the Web at http://www.epa.gov/epaoswer/non-hw/industd/index.htm. Copies of the CD-ROM or a hard copy may be obtained by calling the RCRA Call Center at 800-424-9346.

CREO Participates in Earth Day

By Jamie Chambers
CREO Administrative Assistant, Versar Inc.

The Central Regional Environmental Office (CREO) represented the US Army Environmental Center (USAEC) at Central Missouri State University's (CMSU) Earth Day celebration on 22-23 April 2003 in Warrensburg, Missouri. Jamie Chambers, Administrative Assistant, and Diane Faile, Regulatory Specialist, manned an exhibitor's booth for both days. This was the CREO's second Earth Day observance at CMSU. A steady stream of visitors of more than 1,000 students from Warrensburg grade schools and middle schools, along with their teachers and chaperones, visited the CREO booth. This represents more than treble the number of attendees as compared to last year's event.

Diane Faile, CREO Regulatory Specialist, handing out souvenirs to students attending the CMSU Earth Day. Photo by Jamie Chambers, CREO.

Jamie and Diane described the Army's environmental programs to numerous interested adult chaperones and teachers who were impressed by the Army's commitment to the environment. In addition, they provided a description and history of the Earth Day concept to foreign exchange students who were unaware of the tradition.

Among the items given away were 1,000 USAEC Earth Day posters, 800 USAEC endangered species bookmarks and USAEC literature. The CREO booth ran out of Earth Day posters and endangered species bookmarks, which were very popular souvenir items.

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New IMA Environmental Programs Chief, Southwest Region

Mr. Gregg Chislett is the new Chief of Environmental Programs at the Installation Management Agency's Southwest Region. Gregg is recently retired from the Army after serving 21 years. He has served as a Combat Engineer, a Director of Public Works, a USACE Deputy District Commander and most recently as the Command Engineer at US Army Medical Command. He has had numerous assignments both CONUS and OCONUS. Gregg received his BS/MS from the University of Miami and Georgia Tech respectively. Gregg's e-mail address is Gregg.Chislett@amedd.army.mil. Welcome aboard!

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Congratulations, Mike!

Mike Weaver has been selected for the Department of the Army position of Regional Environmental Coordinator for USAEC's Central Region. In this position, Mike will represent the Army on a regional, state and local basis regarding environmental issues in USEPA Region 6. He will interface and coordinate with representatives of USEPA Region 6, the States of Oklahoma, Texas, Louisiana, Arkansas and New Mexico as well as the Fish and Wildlife Service, Department of the Interior, Native American tribes and others. Mike has more than 30 years of military experience with the last seven years focusing on environmental affairs. He was formerly with Versar, Inc. as CREO Region 6 REC for 1.5 years.

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New CREO Staff Member

Dennis Takade, Ph.D. has recently joined the Versar, Inc. CREO staff as Program Specialist. Dennis will provide assistance to CREO staff in managing the preparation of the USAEC Central Region Environmental Newsletter and will also provide, on an as-needed basis, input to CREO staff in regards to environmental investigations, risk-based cleanup, etc. He has more than 30 years of environmental experience including CERCLA, RCRA, CWA, FIFRA, TSCA and USACE-HTRW with specializations in site investigations and cleanup, environmental chemistry, health effects and toxicology. Dennis can be contacted at 816-983-3327 and his e-mail address is dennis.y.takade@nwk02.usace.army.mil.

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Commander, USAEC — **COL James M. De Paz**
Chief, Public Affairs — **Robert DiMichele**
Chief, CREO — **Bart Ives**

Mission: The CREO supports the Army and DoD mission through coordination, communication and facilitation of regional environmental activities. The Army REOs are part of a DoD network in which the Army, Air Force and Navy each has lead responsibility for mission implementation in the 10 Standard Federal regions. The CREO has DoD lead responsibility for Region 7 and Army lead responsibility for Regions 6 & 7.

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